

FILED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FEB - 9 2022
U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES FURLOW,

Defendant.

4:22CR058 HEA/SRW

MOTION FOR PRETRIAL DETENTION AND HEARING

The United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Cassandra J. Wiemken, Assistant United States Attorney for said District, moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, §3141, et seq.

As and for its grounds, the Government states as follows:

1. Defendant is charged with six counts: two carjacking counts, one Hobbs Act robbery count, one discharging a firearm in furtherance of a crime of violence count, and two brandishing of a firearm in furtherance of a crime of violence counts.
2. The rebuttable presumption of detention therefore applies to Defendant. Title 18, United States Code; Section 3142(e)(3)(B).
3. Pursuant to Title 18, United States Code, Section 3142(g), the weight of the evidence against Defendant, the Defendant's history and characteristics, and the nature and seriousness of the danger to any person or the community that would be posed by Defendant's release warrant Defendant's detention pending trial.

4. With regard to the nature and circumstances of the instant offense, Defendant committed three armed robberies: specifically, two carjackings and a Hobbs Act robbery. After setting up his first carjacking victim on Jack'd, a location-based chat and dating app catering to gay and bisexual men, Defendant carjacked that victim on December 26, 2021, pointing a gun at him and saying: "Get the fuck out of the car!" Defendant then took the victim's 2017 Kia Sorrento.

5. Later that day, Defendant and his accomplice attempted to commit a bank larceny; in the course of doing so, Defendant fired shots at an ATM, causing thousands of dollars of damage. But, Defendant was undeterred.

6. Defendant and his accomplice then went to a Quick Mart and robbed the store. During the robbery, Defendant fired shots at the Quick Mart clerk, ultimately shooting the clerk in the mouth, injuring him and necessitating medical treatment.

7. Yet, Defendant was still not satiated. On December 30, 2021, Defendant carjacked another victim. Once again, Defendant had set the victim up on Jack'd. Once again, Defendant pointed a gun at his victim and took his vehicle, a 2020 Volkswagen Tiguan. Defendant told the victim: "Get out of the car...I'll light you up."

8. Following the December 30, 2021, carjacking, officers saw the Tiguan. Defendant was driving the vehicle. Defendant then fled from officers in the Tiguan, before ultimately fleeing on foot. Eventually, Defendant was found hiding in a basement. He had a gun with him, a Sarsilmaz CM9 Gen 2 9mm. Defendant also had the keys to the carjacked Tiguan in his pockets.

9. The evidence against Defendant is substantial, thereby incentivizing him to flee. Not only did Defendant admit to all three robberies, but the victims in the two carjackings identified Defendant. (The third victim was, of course, shot and was therefore taken to the hospital shortly after the robbery to await surgery.) The fact that Defendant is facing 24 years in mandatory minimums is also a significant incentive to flee.

10. In sum, this Defendant's crime spree demonstrates that he is both a danger to the community and a flight risk. With regard to danger, Defendant has no regard for human life. He pointed a gun at two people, shot a third person, and then fled from police officers, endangering others. Furthermore, Defendant appears to have preyed on gay or bisexual men, using the Jack'd application. This predatory behavior also involved a level of subterfuge—Defendant set up profiles and met men under the ruse of a sexual encounter. Instead, Defendant terrified his carjacking victims, pointing guns in their faces, threatening them, and taking their vehicles by force. Defendant has also proven himself a flight risk—he fled from officers in the Tiguan and then on foot.

11. Therefore, there are no conditions that will ensure Defendant's appearance at trial or the safety of the community.

WHEREFORE, the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING
United States Attorney

s/ Cassandra J. Wiemken
Cassandra J. Wiemken, #91586KY
Assistant United States Attorney